

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLD LADDER LITIGATION CO., LLC,
as Litigation Designee on behalf of the
Liquidation Trust,

Plaintiff,

v.

INVESTCORP BANK B.S.C.;
INVESTCORP S.A.; INVESTCORP
INTERNATIONAL, INC.; INVIFIN, S.A.;
INVESTCORP INVESTMENT EQUITY
LIMITED; INVESTCORP HOLDINGS
LIMITED; INVESTCORP WERNER
HOLDINGS L.P.; STEPUP LIMITED
(GENERAL PARTNER OF
INVESTCORP WERNER HOLDINGS
L.P.); OWNERSHIP HOLDINGS
LIMITED; C.P. HOLDINGS LIMITED;
SIPCO LIMITED; BALLET LIMITED;
DENARY LIMITED; GLEAM LIMITED;
HIGHLANDS LIMITED; NOBLE
LIMITED; OUTRIGGER LIMITED;
QUILL LIMITED; RADIAL LIMITED;
SHORELINE LIMITED; ZINNIA
LIMITED; CIP LIMITED; STEP
INVESTMENTS LIMITED; WL
HOLDINGS LIMITED; EQUITY WERA
LIMITED; CLIMBING PRODUCTS
LIMITED; LADDER EQUITY LIMITED;
WERNER EQUITY LIMITED; WERNER
INVESTMENTS LIMITED; WERNER IIP
LIMITED; ANNISVILLE LIMITED;
COOPERSTOWN LIMITED; FRISCO
LIMITED; PLATEA LIMITED;

CRAIG R. WERNER FAMILY LIMITED
PARTNERSHIP (CRAIG WERNER –
GENERAL PARTNER); ROBERT I.
WERNER - IRREV. TRUST DATED
8/30/94 (RONALD WERNER –
ADMINISTRATIVE TRUSTEE);
RICHMOND DRIVE ENTERPRISES,
L.P. (RICHARD WERNER AND LOIS
WERNER – GENERAL PARTNERS);
MICHAEL E. WERNER REVOCABLE

Case No. 08cv0876

AFFIDAVIT OF SERVICE

TRUST, U/A/D 1/2/96 (MICHAEL WERNER – TRUSTEE); BRUCE D. WERNER – TRUST (BRUCE WERNER – TRUSTEE); ELIZABETH W. ACKERMAN TRUST DTD 12/18/67 (JEFFREY R. ACKERMAN, SUCCESSOR TRUSTEE); ERIC J. WERNER; ALLIGATOR PARTNERS, L.P. (HOWARD SOLOT AND JANET SOLOT – GENERAL PARTNERS); MICHAEL J. SOLOT; DONALD M. WERNER; RONALD E. WERNER; DENNIS G. HEINER; THE HEINER FAMILY TRUST (DENNIS HEINER AND MARGO HEINER – TRUSTEES); MINDY WERNER ALTER; ELISE W. FROST; FLORENCE J. WERNER - IRREV. TRUST DATED 10/7/94 (RONALD WERNER, MARC WERNER AND MICHAEL WERNER – TRUSTEES); GAIL RAUCH BLACKMAN; BRUCE D. WERNER FAMILY LIMITED PARTNERSHIP (BRUCE WERNER – MANAGING GENERAL PARTNER); IRA AND ELISE FROST FAMILY LIMITED PARTNERSHIP (ELISE FROST – GENERAL MANAGING PARTNER); RONI S. ROSATI; NOEL BERK-RAUCH; GERALD R. WHIPMAN; HOWARD L. SOLOT; ISABELLE N. WERNER; SOPHIA K. WERNER; AGNES BONTE FRANCOIS; WERNER-ALTER, LLC (MINDY WERNER ALTER – MANAGER); JANET F. SOLOT; BEVERLY WERNER NEEDHAM; MARSHA BETH KARP; EDWARD A. POLLACK; EDWARD POLLACK, POA MLW; ROBERT I. WERNER; LAURA WERNER; LAURA W. WERNER REVOCABLE TRUST, U/A/D 1/2/96 (LAURA WERNER – TRUSTEE); RANKELL FAMILY TRUST (STEVEN RANKELL – TRUSTEE); STEVEN RANKELL; MARC L. WERNER; RICHMOND J. ROSATI; RYAN GREGORY ROSATI; ROSS DANIEL ROSATI; RAUCH TRUST (ALEENA SHAPIRO – TRUSTEE); PETER R. O'COIN; ELISSA SCHWARTZ; SUZANNE SCHWARTZ; JONATHAN C. WERNER GIFT TRUST U/A/D/ 11/1/96 (JEFFREY WEISMAN – TRUSTEE);

STEPHANIE N. WERNER GIFT TRUST
U/A/D 11/1/96 (JEFFREY WEISMAN –
TRUSTEE); VINCENT J. GARCELL
LIVING TRUST (VINCENT J.
GARCELL & KAREN R. GARCELL,
TRUSTEES); BARBARA L. WERNER;
ASHLEY ELIZABETH WERNER;
JEFFREY ADDISON WERNER;
WERNER GC TRUST FOR ERIN
(BEVERLY WERNER NEEDHAM-
TRUSTEE); ERIN JOY RYAN; WERNER
GC TRUST FOR SHANNON (BEVERLY
WERNER NEEDHAM – TRUSTEE);
SHANNON ROSE RYAN; MICHAEL E.
WERNER; ALLISON TYLER KARP;
FLORENCE J. WERNER; MARGOT A.
WERNER GIFT TRUST U/A/D 11/1/96
(LAURA WERNER – TRUSTEE);
STEWART CHARITABLE REMAINDER
UNITRUST (GARY STEWART -
TRUSTEE); STEWART CHARITABLE
REMAINDER UNITRUST (ILENE
STEWART – TRUSTEE); ROBERT A.
ROSATI; JEFFREY R. ACKERMAN;
LEE L. BASILOTTA; MICHEL
FRANCOIS; ELLEN BERK-RAUCH;
MELANIE R. WERNER; HEATHER
BLACKMAN; KAREN LYNN
MOSESKA; BARBARA L. WERNER;
ELI BERK-RAUCH; HANNA BERK-
RAUCH; CLAIRE FRANCOIS; JAMES
ANDRE FRANCOIS; TAMMY H.
WERNER; DONALD E. ACHENBACH;
DAVID A. CARDILLO; MELISSA S.
KARP; J. DAVID GOLDBLATT; JUNE
GOLDBLATT; CLAUDE J. FRANCOIS;
PHILLIP F. TIDY; GARY L. STEWART;
RICHARD D. BONTE; VERA BONTE;
MARLANE T. KRANE; DEBRA A.
ROTHMAN; MARGARET E. BONTE;
ANNE L. WERNER RESIDUARY
TRUST (TIMOTHY F. BURKE –
TRUSTEE); GARCELL 1997 UNITRUST
DTD 12/19/1997; MAURICE WEINER;
ANNE L. WERNER RESIDUARY
TRUST – EX (TIMOTHY F. BURKE –
TRUSTEE); NOVAK PARTNERSHIP,
AKA A CALIFORNIA LIMITED
PARTNERSHIP (ALYCE NOVAK –
TRUSTEE); ALYCE NOVAK; JOSHUA
J. ROTHMAN; KEVIN MATTHEW
ROTHMAN; PAULA J. GRIFFITH;
HENRY W. DOWLER; VINCENT A.

GENIS; MATTHEW W. WEISS;
STEVEN R. BENTSON; WILLIAM J.
RIPPIN; DAVID C. MCGOWAN; BRAD
J. GELLIS; MICHAEL E. TRZYNKA;
LARRY V. FRIEND; EDWARD W.
GERICKE; JOHN J. FIUMEFREDDO;
MICHAEL D. BROOKS; JORDANA
ROTHMAN; LINDA C. JOUBERT; ERIC
A. MASON; JASON S. KRANE; BRUCE
B. FISHER; WILLIAM C. HAZLETT;
NEAL R. MARTIN; DENNIS J.
JOHNSON; JEREMY M. KAPLAN;
RACHAEL A. KAPLAN; BETH KATZ;
SUSAN MORROW; DAVID M. CONN;
MARC L. WERNER - IRREVOCABLE
TRUST 1 (RICHARD WERNER AND
DONNA S. WERNER - TRUSTEES);
THE ESTATE OF MAX HANFLING
(EDWARD A. POLLACK -
EXECUTOR); HERMAN H. LISS;
KARRAH KAPLAN; DEBORAH ANN
KAPLAN TRUST U/D 14 JANUARY
1998 (JEREMY M. KAPLAN -
TRUSTEE); JUDITH LILY KAPLAN
TRUST U/D 14 JANUARY 1998
(JEREMY M. KAPLAN - TRUSTEE);
JULIA E. KAPLAN; NEIL D. KAPLAN;
ROBERT H. PINNEY; JESSICA Z.
JOUBERT; MICHAEL D. WISE; SARA
P. GRAHAM; CARLY KRANE;
RICHARD M. KELLY; SHIRLEY W.
RAUCH TRUST (SHIRLEY RAUCH,
STANLEY RAUCH, AND MARLANE
KRONE - TRUSTEES); FRANCESCA
GIANOGLIO BONTE; ALESSANDRA
BONTE; KELLY SINON; SUZANNE
ROSEN; DEBORAH KAPLAN; JUDITH
KAPLAN;

VINCENT J. GARCELL; SYLVIA S.
KAPLAN; BETH MORROW; ILENE
STEWART; STANLEY S. RAUCH
TRUST; BRUCE D. WERNER; CRAIG R.
WERNER TRUST; ELIZABETH
WERNER TRUST, N.C.B.; LOIS S.
WERNER REVOCABLE TRUST;
RICHARD L. WERNER REVOCABLE
TRUST; DOROTHY M. WHIPMAN;
CRAIG WERNER;

DANA SNYDER; JAMES BAKER;
PETER NOLAN; CHRISTOPHER
STADLER; THOMAS SULLIVAN;

MICHAEL WONG; JAMES HARDYMON; JAMES EGAN; CHARLES MARQUIS; MAMOUN ASKARI; STEPHEN TEMPINI;

STEVEN RICHMAN; DONALD RESNICK; TIMOTHY LEWIS; CHRISTOPHER FILARDI; JOHN REMMERS; KEVIN WALZ; JOHN J. DYLIK; WENDY A. MEIKLE; LISA A. PRESSLER; DOUGLAS BATES; GEORGE KOERNER; JOHN THIGPEN

LEONARD GREEN & PARTNERS, L.P.; LGP MANAGEMENT INC.; GREEN EQUITY INVESTORS III, L.P.; WERNER CO-INVESTMENT LLC;

MURRAY DEVINE & CO., INC.; LOUGHLIN MEGHJI & CO., INC.; AND DOES 1 THROUGH 300, INCLUSIVE,

Defendants.

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

PATRICIA ASHMAN, being duly sworn, deposes and says: that she resides in Bronx, New York; that she is over the age of twenty-one years and that she is not a party to this proceeding.

That on the 1st day of February, 2008, deponent caused to be served by First Class Mail: 1) the **COMPLAINT**, 2) **RULE 7.1 STATEMENT**, 3) **SUMMONS IN A CIVIL ACTION**, 4) **CIVIL COVER SHEET**, 5) **INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN**, 6) **INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE THEODORE H. KATZ** and 7) **GUIDELINES FOR ELECTRONIC CASE FILING**, upon the following parties listed as Exhibit A, by depositing a true copy thereof, enclosed in a prepaid

properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

/s/ Patricia Ashman

Patricia Ashman

Sworn to before me this
4th day of February, 2008

/s/ Na'eem Conway

Notary Public, State of New York

No. 01C06110667

Qualified in New York County

Commission Expires June 1, 2008

Exhibit A

Service List

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